

REMARKS

Applicants note with appreciation that claims 72, 74-77, 80, 83-108, 111-128, and 263-291 are allowable.

**Supplemental Information Disclosure Statement, Filed November 16, 2004**

In their previous response filed June 3, 2005, Applicants submitted a copy of the Supplemental IDS filed November 16, 2004 and copies of the non-entered references for entry and consideration by the Examiner. A copy of the stamped postcard acknowledging that the USPTO received these references on November 16, 2004, was also enclosed.

Upon review of the returned Form PTO/SB/08a, Applicants note that all submitted references have been considered, except for EP 0 325 691 and EP 0 131 864. A recent patent family search indicates the English language equivalents of these references are U.S. Patent Nos. 5,051,497 and 4,637,834, respectively. Copies of these English language equivalents are now being submitted with a copy of the Supplemental IDS filed November 16, 2004, together with an annotated version of the Form PTO/SB/08a (page 1 only), showing U.S. Patent Nos. 5,051,497 and 4,637,834 to be the English equivalents of the non-considered references. Entry and consideration of these references is respectfully requested.

Because Applicants have already paid the \$180 fee, no additional fees are believed to be due for this submission. However, if a fee is due, please charge our Deposit Account No. 19-0733.

### **Drawing Objection**

Figure 4 is objected to because the sequence identifier "SEQ ID NO:" is not used. To overcome this objection, Applicants have amended the description of Figure 4 to insert this identifier.

Applicants also have provided a paper copy and a computer readable form of a sequence listing which contains the amino acid sequence of Figure 4. I believe the contents of the paper and computer readable forms are identical. They add no new matter.

Withdrawal of the objection is respectfully requested.

### **Specification Objection**

The specification is objected to as lacking an abstract. To overcome this objection, an abstract has been inserted in the specification on a separate sheet.

Withdrawal of the objection is respectfully requested.

### **The Nonstatutory Double Patenting Rejection of Claims 71, 73, 78, 79, 109, and 110**

Claims 71, 73, 78, 79, 109, and 110 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5, 9, 33-37, and 41 of U.S. Patent No. 6,323,326.

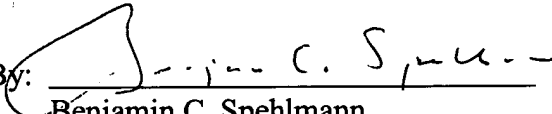
In the interest of expediting prosecution, Applicants submit herewith a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c) over U.S. Patent No. 6,323,326.

Reconsideration and withdrawal of this rejection are respectfully requested.

Please continue to direct all correspondence in this application to T. Helen Payne, Esq.,  
Chiron Corporation, Intellectual Property Dept., R440, 4560 Horton Street, Emeryville, CA  
94608-2916.

Respectfully submitted,

BANNER & WITCOFF, LTD.

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